1 ORRICK, HERRINGTON & SUTCLIFFE LLP
   KAREN G. JOHNSON-MCKEWAN (SBN 121570)
2 kjohnson-mckewan@orrick.com
   ANNETTE L. HURST (SBN 148738)
3 ahurst@orrick.com
   GABRIEL M. RAMSEY (SBN 209218)
4 gramsey@orrick.com
   405 Howard Street, San Francisco, CA 94105
5 Tel: 1.415.773.5700 / Fax: 1.415.773.5759
   PETER A. BICKS (*pro hac vice*)
6 pbicks@orrick.com
   LISA T. SIMPSON (*pro hac vice*)
7 lsimpson@orrick.com
   51 West 52nd Street, New York, NY 10019
8 Tel: 1.212.506.5000 / Fax: 1.212.506.5151

9 BOIES, SCHILLER & FLEXNER LLP
   DAVID BOIES (*pro hac vice*)
10 dboies@bsfllp.com
   333 Main Street, Armonk, NY 10504
11 Tel: 1.914.749.8200 / Fax: 1.914.749.8300
   STEVEN C. HOLTZMAN (SBN 144177)
12 sholtzman@bsfllp.com
   1999 Harrison St., Ste. 900, Oakland, CA 94612
13 Tel: 1.510.874.1000 / Fax: 1.510.874.1460

14 ORACLE CORPORATION
   DORIAN DALEY (SBN 129049)
   dorian.daley@oracle.com
15 DEBORAH K. MILLER (SBN 95527)
   deborah.miller@oracle.com
16 MATTHEW M. SARBORARIA (SBN 211600)
   matthew.sarboraria@oracle.com
17 RUCHIKA AGRAWAL (SBN 246058)
   ruchika.agrawal@oracle.com
18 500 Oracle Parkway,
   Redwood City, CA 94065
19 Tel: 650.506.5200 / Fax: 650.506.7117

20 *Attorneys for Plaintiff*
   ORACLE AMERICA, INC.

21   UNITED STATES DISTRICT COURT

22   NORTHERN DISTRICT OF CALIFORNIA

23   SAN FRANCISCO DIVISION

24 ORACLE AMERICA, INC.   Case No. CV 10-03561 WHA

25   Plaintiff,   **DECLARATION OF ANDREW D.
        v.   SILVERMAN IN SUPPORT OF
26 GOOGLE INC.   ORACLE'S MOTION TO FILE UNDER
                                           SEAL PORTIONS OF ORACLE'S
27   Defendant.   MOTION IN LIMINE #1 RE: OPENJDK**

28   Dept.: Courtroom 8, 19th Floor
                                           Judge: Honorable William H. Alsup

1   I, Andrew D. Silverman, declare and state as follows:

2   1.   I am a member of the bars of the States of California, New York, and the District

3   of Columbia, admitted to practice before this Court, and an associate with the law firm of Orrick,

4   Herrington & Sutcliffe LLP ("Orrick"), attorneys of record for plaintiff Oracle America, Inc.

5   ("Oracle"). I am familiar with the events, pleadings, and discovery in this action and, if called

6   upon as a witness, I could and would testify competently to the matters stated herein of my own

7   personal knowledge.

8   2.   I submit this declaration in support of Oracle's Administrative Motion to File

9   Under Seal Portions of Oracle's Motion *In Limine* #1 to Exclude Evidence of OpenJDK.

10   3.   The following portions of Oracle's motion summarize, quote from, or reproduce

11   materials that have been designated by Google Inc. as "CONFIDENTIAL" or "HIGHLY

12   CONFIDENTIAL – ATTORNEY'S EYES ONLY" pursuant to the Protective Order:

13   • The text within the parenthetical found at page 3, line 19 to line 21;

14   • The text found at page 3 between lines 23 and 26;

15   • The text within the two parentheticals found at page 4, lines 10 through 14;

16   • The first seven words of page 4, line 16;

17   • The text within the three quotations found at page 4, lines 16 through19;

18   • The text within the parenthetical found at page 4, line 22;

19   • The text found at page 5, line 22 between the words "was" and "and;"

20   • The text found at page 5, line 24 through page 6, line 1 between the words

21   "Google" and "Ex. 25";

22   • The text found at page 6, line 2 through line 3 between the words "Google" and

23   "*Id.*;"

24   • The text found within the quotations in footnote 10 on page 6;

25   • The text found at page 10, lines 7 through 9 between the words "not" and "*Supra*;"

26   • The text found at page 10, lines 10 through 11 between the words "regarding" and

27   "and;" and

28

DECL. OF ANDREW D. SILVERMAN RE:
ADMIN. MOT. TO FILE UNDER SEAL RE:
ORACLE'S MOTION IN LIMINE #1
CV 10-03561 WHA

1   •   The text found at page 10, line 12 between the words "or" and "*See*;"

2   4.   I declare under penalty of perjury under the laws of the United States that the

3 foregoing is true and correct.

4   Executed this 23rd day of March, 2016, at New York, NY.

6   */s/ Andrew D. Silverman*

7   Andrew D. Silverman